

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re:

USA GYMNASTICS,¹

Debtor.

Chapter 11

Case No. 18-9108-RLM-11

**MOTION TO SHORTEN NOTICE ON DEBTOR'S MOTION FOR ORDER
APPOINTING FRED C. CARUSO AS FUTURE CLAIMANTS' REPRESENTATIVE**

USA Gymnastics, as debtor and debtor in possession in the above-captioned chapter 11 case (the “**Debtor**”), hereby moves (the “**Motion**”) for the entry of an order, substantially in the form attached hereto as Exhibit A, pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), Rule 9006-1(a) of the Local Rules of the United States Bankruptcy Court for the Southern District of Indiana (the “**Local Rules**”), and section III.F of the Case Management Procedures (as defined below), shortening notice on the *Debtor's Motion For Order Appointing Fred C. Caruso As Future Claimants' Representative* (the “**FCR Motion**”), and respectfully states as follows:

1. The Debtor has contemporaneously filed the FCR Motion, requesting that the Court enter an order appointing Fred C. Caruso as the Future Claimants' Representative in this case.²

¹ The last four digits of the Debtor's federal tax identification number are 7871. The location of the Debtor's principal office is 130 E. Washington Street, Suite 700, Indianapolis, Indiana 46204.

² Capitalized terms used herein and not defined shall have the meanings given to them in the FCR Motion.

2. Because the Debtor seeks to commence, as soon as practicable, a mediation in which the Future Claimants' Representative is expected to participate, the Debtor requests that the Court hear the FCR Motion on shortened notice.

3. Bankruptcy Rule 9006(c), Local Rule 9006-1(a), and section III.F of the case management procedures appended to the *Order Granting Debtor's Motion For Order Establishing Certain Notice, Case Management, And Administrative Procedures* [Dkt. 213] (the "**Case Management Procedures**"), permit the consideration of motions on shortened notice for cause.

4. The Debtor submits that cause exists to hear the FCR Motion on shortened notice because the sooner the Future Claimants' Representative is appointed, the sooner the parties can commence and conclude the mediation. Courts frequently shorten notice periods when a debtor identifies cause to do so. *See e.g., In re Fayette Memorial Hospital Assoc., Inc.*, Case No. 18-07762-JJG-11, Dkt. 206 (Bankr. S.D. Ind. Jan. 18, 2019); *In re Scotty's Holdings, LLC*, Case No. 18-09243-JJG-11, Dkt. 93 (Bankr. S.D. Ind. Dec. 28, 2018); *In re hhgregg, Inc.*, Case No. 17-01302-RLM-11, Dkt. 1292 (Bankr. S.D. Ind. June 30, 2017).

5. Accordingly, consistent with Bankruptcy Rule 9006(c), Local Rule 9006-1(a), and section III.F of the Case Management Procedures, the Debtor requests that the Court set the FCR Motion to be heard at the next omnibus hearing on May 15, 2019 at 1:30 p.m. (prevailing Eastern time), with an objection deadline of May 14, 2019 at 4:00 p.m. (prevailing Eastern time).

NOTICE

6. The Debtor will provide notice of this Motion and any order entered hereon in accordance with the Case Management Procedures and Local Rules 9006-1(d) and 9006-1(e). In light of the nature of the relief requested herein, the Debtor submits that no other or further notice is necessary.

WHEREFORE, the Debtor respectfully requests entry of an order, substantially in the form attached as Exhibit A, granting the relief requested in this Motion and granting such other relief as is just and proper.

Dated: May 10, 2019

Respectfully submitted,

JENNER & BLOCK LLP

By: /s/ Catherine L. Steege

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